

SUPPORT FOR THE AMENDMENTS

Claim 1 has been amended to incorporate the features of Claims 5 and 7, now canceled. Newly-added Claims 24 and 25 are supported by the specification at pages 6-7. Accordingly, no new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 1-4 and 9-25 are pending. Favorable reconsideration is respectfully requested.

The present invention relates to a medical member comprising a tube mainly comprising syndiotactic 1,2-polybutadiene having a crystallinity of about 5 to about 25% and a connecting member connected thereto, the connecting member mainly comprising syndiotactic 1,2-polybutadiene having a crystallinity of about 25 to about 40%. See Claim 1.

In the present invention, an important feature is that the crystallinity of the tube is lower than the crystallinity of the connector, so that the tube maintains flexibility after irradiation with an electron beam. In contrast, the crystallinity of the connector is higher than that of the tube, because the connector must have rigidity after irradiation.

The rejection of the claims for obviousness-type double patenting is believed to be moot in view of the Terminal Disclaimer submitted herewith. Accordingly, withdrawal of this ground of rejection is respectfully

The rejections of the claims under 35 U.S.C. §102(b) and §103(a) based on Ding (U.S. 7,011,872) as set forth at paragraphs 6-20 of the Office Action are respectfully traversed. The cited references fail to disclose or suggest the claimed medical member.

Ding describes a blend of 1,2-syndiotactic polybutadiene with a crystallinity of less than 50%, and most preferably within the range of about 13% to about 40%. The polymer is used for fabricating medical products such as tubings and pump compatible tubings. The reference fails to disclose or suggest a product as claimed having a tube containing syndiotactic 1,2-polybutadiene having a crystallinity of about 5 to about 25% and a connecting member mainly comprising syndiotactic 1,2-polybutadiene having a crystallinity of about 25 to about 40%. That is, there is no disclosure or suggestion is using separate crystallinity values for the tube and the connection. Accordingly, Ding fails to disclose or suggest the claimed product.

The secondary references Doheny et al. and Bacehowski et al. have been cited as allegedly suggestion features in dependent claims. However, none of these references disclose or suggest using the crystallinity of the tube and the connector as specified in Claim 1.

In view of the foregoing, the claimed product is neither disclosed nor suggested by the cited references. Accordingly, the pending claims are not anticipated by or obvious over those references. Therefore, withdrawal of this ground of rejection is respectfully requested.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

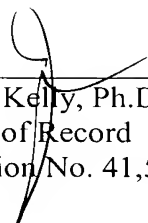
Respectfully submitted,

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